

(ORDER LIST: 523 U. S.)

MONDAY, APRIL 27, 1998

**CERTIORARI -- SUMMARY DISPOSITION**

96-1936 FAIRPORT INTL. EXPLORATION V. SHIPWRECKED VESSEL, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *California v. Deep Sea Research, Inc.*, 523 U. S. \_\_\_\_ (1998).

**ORDERS IN PENDING CASES**

A-788 DAVID HALE V. ARKANSAS

The application for a stay of state court proceedings addressed to Justice Souter and referred to the Court is denied.

M-66 CLETUS O. ASHIEGBU V. KELLY GRAY, ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

97-1688 COLORADO V. ROMERO, MARIO  
(A-684)

The application for stay addressed to Justice O' Connor and referred to the Court is denied.

97-8191 TORAIN, BILLY J. V. SIEMENS ROLM COMMUNICATIONS

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 18, 1998, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in

compliance with Rule 33.1 of the Rules of this Court.

**APPEAL -- JURISDICTION NOTED**

97-1396 LOPEZ, VICKY, ET AL., V. MONTEREY COUNTY, CA, ET AL.

In this case probable jurisdiction is noted.

**CERTIORARI GRANTED**

97-1287 HUGHES AIRCRAFT CO., ET AL. V. JACOBSON, STANLEY, ET AL.

The motion of Hughes Aircraft Retirees, et al. for leave to file a brief as *amici curiae* is granted. The motion of Chamber of Commerce of the United States, et al. for leave to file a brief as *amici curiae* is granted. The motion of ERISA Industry Committee for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

97-7164 HOLLOWAY, FRANCOIS V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

**CERTIORARI DENIED**

96-1448 BEMIS, F. GREGG V. RMS LUSITANIA, ETC.

97-928 BILZERIAN, PAUL V. HSSM #7 LIMITED PARTNERSHIP

97-1025 HESS, DAVID, ET AL. V. FDIC, ET AL.

97-1178 ROCKWELL INTL. CORP. V. UNITED STATES

97-1216 DOWD, JAMES, ETC. V. HINCHMAN, JAMES, ET AL.

97-1218 NATL. STEEL & SHIPBUILDING V. SMITH, OSCAR, ET AL.  
 97-1229 UNITED STATES V. NY LIFE INSURANCE CO.  
 97-1259 TN METRO. GOVT. , ET AL. V. WASTE MGMT. , INC. , OF TN  
 97-1298 EASTMAN KODAK CO. V. IMAGE TECH. SERV. , ET AL.  
 97-1342 CULLINAN, R. KEITH, ET AL. V. ABRAMSON, JERRY, ET AL.  
 97-1364 SPRINGSTON, ROBERT S. V. CONRAIL, ET AL.  
 97-1381 STARK, MATTHEW, ET AL. V. INDEP. SCH. DIST. NO. 640  
 97-1382 ) SCHUDEL, DAVID, ET AL. V. GENERAL ELEC. CO. , ET AL.  
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 97-1386 ) HOPKINS, RUTH, ET VIR, ETC. V. GENERAL ELEC. CO. , ET AL.  
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 97-1410 ) CARLSON, MERLIN V. GENERAL ELEC. CO. , ET AL.  
 97-1384 MILLER, A. EUGENE V. UNITED STATES  
 97-1389 DeLOREAN, JOHN, ET AL. V. MORGANROTH AND MORGANROTH  
 97-1395 PETRO STOPPING CENTERS V. JAMES RIVER PETROLEUM, INC.  
 97-1406 KIRLIN, KEVIN V. IA SUP. CT. BD. OF ETHICS  
 97-1420 LAMADRID ALVAREZ, NANCY V. LAMADRID ALVAREZ, TERESA  
 97-1421 WORLEY, DANIEL T. vs. PA PUBL. SCH. EMPLS. RETIRE.  
 97-1423 SMITH, MAXIE V. KAISER PERMANENTE MED. GRP.  
 97-1424 TOLERSON, LAWRENCE E. V. AUBURN STEEL CO. , ET AL.  
 97-1429 RODITIS, ATHANASIOS, ET UX. V. UNITED STATES  
 97-1432 FIGUEROA, MANUEL, ET AL. V. UNITED STATES  
 97-1439 OLIVER, KEVIN V. ARKANSAS  
 97-1449 GUZMAN, FRANCISCO V. MILEY, KENNETH, ET AL.  
 97-1461 LITTLE ROCK NEWSPAPERS, INC. V. FITZHUGH, J. MICHAEL  
 97-1463 SHELL OFFSHORE, ET AL. V. DIR. , OWCP, DEPT. OF LABOR  
 97-1473 FABRIC, ROBERT, ET AL. V. PROVIDENT LIFE INSURANCE  
 97-1484 GOOD NEWS COMMUNICATIONS V. PATENT & TRADEMARK OFFICE  
 97-1486 GULF PARK WATER CO. , INC. V. MS PUBLIC SERVICE COMM.

97-1528 DOE, JOHN, ET AL. V. NEW JERSEY

97-1558 SMITH, VERNON V. McBRAYER, McGINNIS, ET AL.

97-1561 ARNOLD, KEITHIAN V. BOATMEN' S TRUST CO.

97-1580 TENZER, JAMES V. UNITED STATES

97-1593 CHAHIL, PARSHOTAM V. GLICKMAN, SEC. OF AG.

97-1595 JOHNSON BROS. WHOLESALE LIQ. V. NLRB

97-1596 FERRANTI, JACK V. UNITED STATES

97-1598 GUTIERREZ, HIPOLITO V. UNITED STATES

97-1605 LaRUE, CLYDE W. , ET AL. V. UNITED STATES, ET AL.

97-1607 DIXON, DWIGHT V. UNITED STATES

97-1611 COUSINO, PAUL V. ELLIOTT, S. LEE, ET AL.

97-7677 WILSON, JOHN J. V. ROGERS, WARDEN

97-7762 LOMAX, VINCENT V. JOPLIN, MO, ET AL.

97-7822 NARRON, KENNETH E. V. VANCE, CAROL, ET AL.

97-7856 FRANQUI, LEONARDO V. FLORIDA

97-7857 FRANQUI, LEONARDO V. FLORIDA

97-8011 BRADFORD, RAYMOND A. V. CAMBRA, WARDEN, ET AL.

97-8015 McDONALD, MAURICE J. V. NEVADA

97-8027 SAYMAN, ALI V. NUSSBAUM, R. , ET AL.

97-8028 McBRIDE, KIRK W. V. TEXAS

97-8030 SIDDEN, TONY M V. NORTH CAROLINA

97-8034 REDD, PAUL A. V. MARSHALL, WARDEN

97-8036 MARK, TONY G. V. EVANS, WARDEN, ET AL.

97-8037 NICHOLS, ELMORE V. HOLT, WARDEN, ET AL.

97-8043 HUGHES, HERMAN L. V. SOUTH CAROLINA

97-8048 HOFFMAN, SIDNEY V. BELLO, ANTHONY D.

97-8056 JORDAN, MELZA E. V. ROUSE, JAMES B. , ET AL.  
97-8059 SATHER, WILLIAM C. V. WASHINGTON  
97-8061 ALLS, BILLY V. QUESTCARE, INC. , ET AL.  
97-8067 CHARLES, KIRK D. V. CAIN, WARDEN  
97-8071 ABIDEKUN, OLU S. V. COMMR. OF SOCIAL SERVICES  
97-8075 DENARD, DEAUTRI C. V. TERHUNE, DIR. , CA DOC  
97-8082 BARUCH, JUAN C. V. SMITH, WARDEN, ET AL.  
97-8084 MIKKO, STEVEN T. V. PITCHER, WARDEN  
97-8087 DOVE, ARTHUR C. V. DAVIS, CHMN. , ETC. , ET AL.  
97-8090 ANGEL, HARVEY D. V. TEXAS  
97-8102 BRANCH, OLIVER A. V. MINNESOTA, ET AL.  
97-8107 MADEJ, GREGORY A. V. ILLINOIS  
97-8129 MILLSON, CHARLES V. NEW YORK  
97-8144 VOLKOVA, NATALIA V. INS  
97-8151 TELLIER, ROY V. PETRILLO, GUY, ET AL.  
97-8177 STOKES, PHILLIP V. MISSISSIPPI  
97-8187 TRAVIS-BARKER, ANNE vs. U. S. BANK OF WASHINGTON  
97-8192 MARTINEZ, LAZARO V. INS  
97-8194 MENDOZA, ROBERTO E. vs. SSC&B LINTAS, NEW YORK  
97-8196 JONES, WILLIS K. V. MISSISSIPPI  
97-8239 ENGLERT, VERN W. V. UNITED STATES  
97-8242 FORT, LENORE D. V. HOWES, JONATHAN B. , ET AL.  
97-8272 CARTER, ROBERT A. V. JOHNSON, DIR. , TX DCJ  
97-8280 NELSON, DARREL V. CORBETT, THOMAS, ET AL.  
97-8287 CEMINCHUK, BARRY V. COHEN, SEC. OF DEFENSE  
97-8311 RICHARDSON, ERNEST E. V. SOUTH CAROLINA  
97-8312 BRAY, JOSHUA L. V. WEST, SEC. OF ARMY

97-8318 TATLIS, JAMES W. V. DUNCAN, WARDEN  
97-8321 ORISNI, MARY L. V. ARKANSAS  
97-8323 LANDERS, JAMES L. V. KANSAS  
97-8359 ALADEKOBA, ADEWALE, ET AL. V. UNITED STATES  
97-8360 DELGADO, ARTURO B. V. BARRERAS, WARDEN  
97-8365 EVANS, LEROY V. DALTON, SEC. OF NAVY, ET AL.  
97-8378 RHODEN, LAWIS D. V. SUNDQUIST, GOV. OF TN  
97-8393 BREWER, JEFFREY D. V. UNITED STATES  
97-8406 WILLIAMS, BILLY H. V. UNITED STATES  
97-8414 OWENS, TERRENCE V. UNITED STATES  
97-8418 SMITH, HAROLD W. V. UNITED STATES  
97-8419 ) PASTRANO, APOLONIO V. UNITED STATES  
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97-8532 ) MENDIOLA, JAMES V. UNITED STATES  
97-8421 CASTRO, CHRISTIAN V. UNITED STATES  
97-8422 BELHOMME, RENAUD V. WIDNALL, SEC. OF AIR FORCE  
97-8430 McCORD, CARLOS V. UNITED STATES  
97-8433 COOPER, BOBBY L. V. UNITED STATES  
97-8436 HARDWELL, DENNIS L. V. UNITED STATES  
97-8438 DAVENPORT, CLARENCE D. V. UNITED STATES  
97-8439 DAMM, GEORGE H. V. UNITED STATES  
97-8440 FINCK, WILLIAM V. UNITED STATES  
97-8441 HARDEMAN, KENNETH R. V. UNITED STATES  
97-8443 HEBERT, SCYRUS D. V. UNITED STATES  
97-8445 GANGLER, PERRY A. V. UNITED STATES  
97-8448 McCOWAN, HOWARD A. V. UNITED STATES  
97-8449 MAASS, ROBERT V. UNITED STATES

97-8454 LACY, SCOTT D. V. UNITED STATES  
97-8459 SALLAS, JERRY W. V. UNITED STATES  
97-8474 REED, MARK W. V. UNITED STATES  
97-8481 ATKINS, CARLOS D. V. UNITED STATES  
97-8483 WYNN, RONALD V. UNITED STATES  
97-8487 QUEEN, ROLAND D. V. UNITED STATES  
97-8488 MALLET, DONALD V. UNITED STATES  
97-8491 LATOUF, SADIE V. UNITED STATES  
97-8502 GUTIERREZ, ROGELIO C. V. UNITED STATES  
97-8504 HARRIS, TIMOTHY E. V. UNITED STATES  
97-8505 GOODE, PAULETTE A. V. UNITED STATES  
97-8508 HENDERSON, DANNY L. V. UNITED STATES  
97-8510 SELF, RANDY E. V. UNITED STATES  
97-8512 BENITEZ, JAIME V. UNITED STATES  
97-8516 ENIGWE, IFEDOO N. V. UNITED STATES  
97-8523 SLIGH, FELICIA V. RUNYON, POSTMASTER GEN.  
97-8529 NWANERI, CHUKS E. V. UNITED STATES  
97-8538 OKORO, CHRISTOPHER M. V. UNITED STATES  
97-8543 UDELL, STEVEN D. V. UNITED STATES  
97-8545 AHMAD, TARIQ V. UNITED STATES  
97-8548 HILL, TERRY V. UNITED STATES  
97-8549 GRAVES, DALE E. V. UNITED STATES

The petitions for writs of certiorari are denied.

97-1403 MANOR, PAUL, ET UX. V. NESTLE FOOD COMPANY

The petition for a writ of certiorari is denied.

Justice O'Connor took no part in the consideration or decision of this petition.

97-1414 CALDERON, WARDEN V. McDOWELL, CHARLES

97-1448 RATELLE, WARDEN, ET AL. V. FARMER, LEE PERRY

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

97-8042 DIAS, ANTONE J. V. BOGINS, SHARON A.

The petition for a writ of certiorari is denied. Justice Souter took no part in the consideration or decision of this petition.

**COMMON LAW CERTIORARI DENIED**

97-1633 IN RE JAMES COSSETT, ETC.

The petition for a writ of certiorari is denied.

**MANDAMUS DENIED**

97-8542 IN RE GEORGE VAN WAGNER, III

The petition for a writ of mandamus is denied.

**REHEARINGS DENIED**

97-1107 LAUGHLIN, KEVIN, ET AL. V. PEROT, H. ROSS, ET AL.

97-1143 IN RE T. CARLTON RICHARDSON

97-1186 MIZELL, HAYWOOD JACKSON V. UNITED STATES

97-6691 ONE JUVENILE MALE V. UNITED STATES

97-6836 WEE, JOHN C., ET UX. V. ANDREWS, JOHN, ET AL.

97-6980 YOUNG, CHARLES V. USDC ND TX

97-7009 JOHNSON, DAVID V. VAUGHN, SUPT., GRATERFORD

97-7013 MORRIS, TIMOTHY V. BELL, WARDEN  
97-7339 LAWRENCE, MICHAEL J. V. EVANS, WARDEN  
97-7399 WHITE, DAVID C. V. SHEESLEY, FRANK  
97-7426 WHITE, MICHAEL T. V. TATE, WARDEN  
97-7684 ) ADAMS, DARRELL W. V. UNITED STATES  
)  
97-7686 ) LOWERY, ERIC D. V. UNITED STATES

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-1909 IN THE MATTER OF DISBARMENT OF JEFF BERNSTEIN

Jeff Bernstein, of Flushing, New York, having been suspended from the practice of law in this Court by order of February 23, 1998; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Jeff Bernstein is disbarred from the practice of law in this Court.

D-1910 IN THE MATTER OF DISBARMENT OF GWEN G. CARANCHINI

Further consideration of the response to the Rule to Show Cause is deferred.

D-1913 IN THE MATTER OF DISBARMENT OF WARREN EDWARD SHELDRAKE

Warren Edward Shel Drake, of Irvington, New York, having been suspended from the practice of law in this Court by order of February 23, 1998; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Warren Edward Sheldrake is  
disbarred from the practice of law in this Court.

D-1914 IN THE MATTER OF DISBARMENT OF NORMAN KEITH GURSTEL

Norman Keith Gurstel, of Minneapolis, Minnesota,  
having been suspended from the practice of law in this  
Court by order of February 23, 1998; and a rule having  
been issued and served upon him requiring him to show  
cause why he should not be disbarred; and the time to  
file a response having expired;

It is ordered that Norman Keith Gurstel is  
disbarred from the practice of law in this Court.

D-1916 IN THE MATTER OF DISBARMENT OF RONALD KENT CAMPBELL

Ronald Kent Campbell, of Raleigh, North Carolina,  
having been suspended from the practice of law in this  
Court by order of February 23, 1998; and a rule having  
been issued and served upon him requiring him to show  
cause why he should not be disbarred; and the time to  
file a response having expired;

It is ordered that Ronald Kent Campbell is  
disbarred from the practice of law in this Court.

D-1917 IN THE MATTER OF DISBARMENT OF ROBERT W. BARTON

Robert W. Barton, of Harrisburg, Pennsylvania,  
having been suspended from the practice of law in this  
Court by order of March 2, 1998; and a rule having been  
issued and served upon him requiring him to show cause  
why he should not be disbarred; and the time to file a

response having expired;

It is ordered that Robert W. Barton is disbarred from the practice of law in this Court.

D-1942 IN THE MATTER OF DISBARMENT OF EPHRAIM COLLINS

Ephraim Collins, of Boca Raton Florida, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1943 IN THE MATTER OF DISBARMENT OF STANLEY LEWIS KANTOR

Stanley Lewis Kantor, of New York, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1944 IN THE MATTER OF DISBARMENT OF SYLVIA E. HALL

Sylvia E. Hall, of Deep Water, New Jersey, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

**RECESS ORDER**

The Court will take a recess from Monday, May 4, 1998, until Monday, May 18, 1998.

**ORDER**

It is ordered that the call of the calendar, except for the case scheduled for argument on June 8, 1998, and any special assignments, be suspended for the Term upon the conclusion of the cases listed for hearing on Wednesday, April 29, 1998.